

RECEIVED
CENTRAL FAX CENTER

JAN 08 2007

Remarks

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,797,875 to Silver ("Silver '875"). The action also rejects the claim based on a provisional, nonstatutory double patenting rejection based on claim in a co-pending application owned by the same assignee (Medela Holding AG) as the present application.

Applicant will address the provisional rejection after the present claim is found to be in condition for allowance.

With respect to the rejection under §102(b), for Silver to anticipate the current claim, each and every limitation of the claim must be shown in Silver.

The present independent claims require a female coupling component. The female coupling component includes upper and lower portions, wherein the upper and lower portion have different diameters.

The claims have been amended to clarify that the upper portion defines an upper well (i.e., receptacle) and the lower portion defines a lower well (i.e., receptacle). The claims have also been amended to clarify that the rim portion is located between the lower well and the upper well. An example of upper and lower wells is shown as items 66 and 67 (respectively) in figure 5 of the present application.

The Silver '875 reference shows a female component (see element 52 in Fig. 2), but the Silver '875 reference does not disclose a female component having an upper well, a lower well, or a rim portion between the upper and lower wells. In the Silver '875 reference, and in particular with respect to Fig. 2, the female component 52 only has a single well or receptacle. The claims, however, require that the female coupling component have an upper well (with one diameter), a lower well (with a different diameter), and a rim portion between the upper well and the lower well. The

Silver '875 reference simply does not have these differently sized wells. As a result, this reference cannot possibly anticipate the claims.

In the Office Action, the Examiner focuses on the male coupling component 54 as shown in figures 22 and 23 of the Silver '875 reference. The Examiner believes that the male coupling component 54 has different diameters (i.e., connector end 82, and the sealing portion 86), and erroneously concludes from this that the female coupling component must necessarily also include portions having different diameters. The Applicant respectfully disagrees. The female coupling component 52 (see figure 2) clearly only has one diameter, and thus only one receptacle or well.

The Silver '875 reference does state that the female coupling component 52 is sized and shaped to fit snugly with the male coupling component 54. This does not mean, however, that the female coupling component necessarily has an upper portion with one diameter and a lower portion with a different diameter. For example, with respect to figures 22 and 23, the connector end 82 of the male connectors 54 fits into the female receptacle 52. The sealing surface 86 is simply meant to provide a seal. The connector end 82 and the sealing surface 86 are both received in the female receptacle 52, *which has just one diameter*. Figure 2 of the Silver reference does not show an upper well, a lower well, or a rim portion between the upper and lower wells. Figure 2 at best, only shows one well (i.e., receptacle).

Furthermore, the claims specify that the one or more channels communicate between said port and with an opening in said rim portion of the female coupling component. The opening (63) cited in the action does not involve a female coupling component of the Silver '875 device, but rather communicates between the housing (46) internal chamber and the outside of the housing directly through the housing. Thus, the opening cited in the action does not meet the limitations of present Claim 1.

The stopper (70) cited in the action from Silver '875 does not meet the claimed requirement of being sized and shaped to sealably engage an upper portion of a female coupling component as required in the present claim. The stopper (70) of Silver '875, in contrast, is a selector ring receivable in a snug but rotatable fit around the collar (53) of the housing 46 (See Fig. 2 and col. 4, lines 52-60). In contrast, the stopper of the present claim is adapted to fit directly into the female coupling component (e.g., 42 in Fig. 2 of the present application).

Because Silver '875 does not meet each and every limitation of the present claim, it cannot anticipate the presently claimed invention. Reconsideration is respectfully requested.

Respectfully submitted,

**McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP**

Date: January 8, 2007

By: 

Michael H. Baniak / Michael D. Gannon /
Steven B. Courtright
Reg. Nos. 30,608 / 36,807 / 40,966
Attorneys / Agent